

REMARKS

Applicants respectfully request favorable reconsideration of this application, as amended.

As a preliminary matter, Applicants respectfully reiterate their request for acknowledgment of the priority document be acknowledged.

Claims 1-18 are presented for reconsideration. Claims 19-24 have been added. Accordingly, Claims 1-24 are pending.

Independent Claims 1, 7, and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Murakami et al. (US 6,990,874) in view of JP 10-7003. The rejection is respectfully traversed.

While Applicants do not agree with the Office's interpretation of Murakami, the proposed combination of JP '003 with Murakami is in any event improper. The adjusting bolt in JP '003 is located at the bottom of the alleged distance unit (simply "distance unit" hereinafter) and at the bottom of the steering column. By contrast, the adjusting bolt in Murakami is located at the top of the steering column. The Murakami and JP '003 devices are thus fundamentally incompatible. Moreover, the configuration of JP '003 suffers from the very disadvantage that is remedied by the present invention. One skilled in the art therefore would not have resorted to JP '003 as a basis for modifying

Murakami in an attempt to produce Applicants' invention.

Such motivation to modify Murakami can only be found, impermissibly, with the benefit of hindsight in view of Applicants' present teachings.

The rejection of Claims 1, 7, and 13 is clearly untenable for the reasons discussed above. Claims 1, 7, and 13 are patentable over the applied references as, therefore, are their respective dependent claims. Newly presented dependent Claims 19-24 distinguish even further from the applied references, as will be readily apparent.

A Notice of Allowance is respectfully solicited.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 (XA-10269) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby requested.

Respectfully submitted,

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